

PTO/SB/31(06-03)

Approved for use through 7/31/2003. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) Beiersdorf 454.3/ 100718-53						
CERTIFICATE OF FACSIMILE TRANSMISSION <p>I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office on the 23rd day of April, 2004.</p> <p><u>Agata Glinska</u> Agata Glinska</p>								
<p>In re Application of Anja Eitrich et al</p> <table border="1"> <tr> <td>Application Number 08/930,235</td> <td>Filed February 23, 1998</td> </tr> <tr> <td colspan="2">For: Cosmetic or Pharmaceutical Microemulsions</td> </tr> <tr> <td>Art Unit 1712</td> <td>Examiner Daniel S. Metzmaier</td> </tr> </table>			Application Number 08/930,235	Filed February 23, 1998	For: Cosmetic or Pharmaceutical Microemulsions		Art Unit 1712	Examiner Daniel S. Metzmaier
Application Number 08/930,235	Filed February 23, 1998							
For: Cosmetic or Pharmaceutical Microemulsions								
Art Unit 1712	Examiner Daniel S. Metzmaier							

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner dated December 24, 2003 finally rejecting claims 4-8.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 330.00

Applicant claims small entity status. See

37 CFR 1.26. Therefore, the fee amount shown above is reduced by half, and the resulting fee is: \$.

- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 14-1263. I have enclosed a duplicate copy of this sheet.
- A petition for an extension of time under 37 CFR 1.36(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- applicant/inventor.
- assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- attorney or agent of record.

Registration _____

- attorney or agent under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) 48,104

April 24, 2004

Date

(212) 808-0700

Telephone Number

Howard C. Lee
Signature

Howard C. Lee

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.1. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 12200, Alexandria, VA 22313-1220. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PAGE 24 * RCVD AT 4/23/2004 11:12:40 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-14 * DNI:3729306 * CSID:2128080844 * DURATION:00min:00ss:0140

04/29/2004 FARMER
01 FC:1401
02 FC:1251
1100 00 DA
0000 00 DA